

REMARKSExaminer Interview

Applicant greatly appreciates the Examiner's telephone call on July 26, 2010 and the resulting conversation regarding proposed amendments to the claims.

Status of the Claims

In light of the above-referenced teleconference and solely to advance prosecution, originally-filed Claims 1 and 17 have been amended herein without prejudice or disclaimer of the subject matter therein. Currently, claims 1-17 are currently undergoing prosecution and Applicant specifically reserves the right to file one or more divisional applications on the originally-filed subject matter.

Deposit Requirement

Also in light of the July 27, 2010 teleconference, Applicant herein restates that the deposit meets all of the criteria as set forth in 35 CFR 1.801-1.809 as a live culture was deposited with the Microbial Type Culture Collection (MTCC) at the Institute of Microbial Technology, Chandigarh, India. Please note that this is a recognized culture deposit center by ATCC and also by the Budapest Treaty for Patent Deposits. Additionally, Applicant's agent has provided a declaration identifying the deposit of biological material and averring a variety of statements per the Examiner's request that she do so. Another copy of the Budapest Treaty Patent Procedure deposit form is also attached to the Declaration for the convenience of the Examiner.

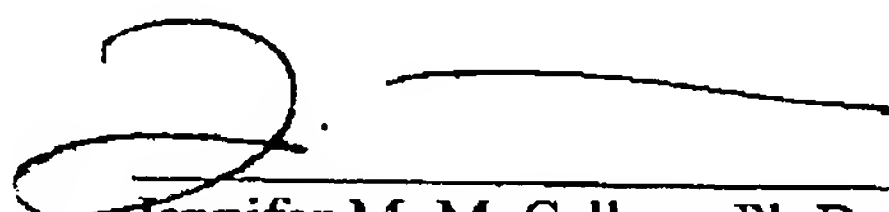
Concluding Remarks

In view of the foregoing remarks, Applicant respectfully requests reconsideration and examination as to the merits of the application. If the Examiner notes any further matters which would be expedited by a telephonic interview, she is requested to contact Dr. Jennifer M. McCallum at the telephone number listed below.

Respectfully Submitted,

Date

8-16-10



Jennifer M. McCallum, Ph.D., Esq.

Reg. No. 52,492

The McCallum Law Firm, PC

685 Briggs Street

P.O. Box 929

Erie, CO 80516

Telephone: (303) 828-0655

Fax: (303) 828-2938

e-mail: administration@mccallumlaw.net